



40

4-5-04

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3739  
sp
**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

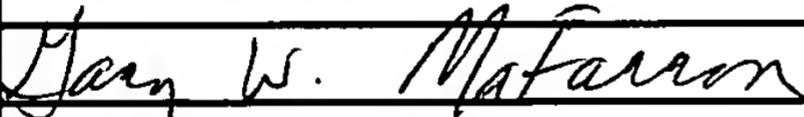
Application Number	10/038,506
Filing Date	November 9, 2001
First Named Inventor	Michael D. Hooven
Art Unit	3739
Examiner Name	Rosiland S. Kearney
Total Number of Pages in This Submission	1
Attorney Docket Number	0320-0014

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
	<b>Remarks</b>	
	Other Enclosures:	
	- 1 U.S. Patent	
	- PTO/SB/08A	
	- \$180.00 IDS fee, Check No. <u>16451</u>	
	- Certificate of Mailing	
	- Return-Receipt Postcard	

RECEIVED  
APR 08 2004  
TECHNOLOGY CENTER H3700

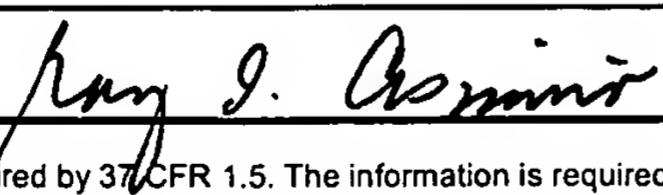
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Gary W. McFarron, Esq.
Signature	
Date	April 2, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as ~~first class~~ mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Express

EV321714663US

Typed or printed name	May I. Casimiro		
Signature		Date	April 2, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT  
Attorney Docket No. 0320-0014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of: )  
Michael D. Hooven, et al. )  
Serial No. 10/038,506 )  
Filed: November 9, 2001 )  
Group Art No.: 3739 )  
Examiner: Rosiland S. Kearney )  
For: TRANSMURAL ABLATION )  
DEVICE WITH PARALLEL )  
JAWS )

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Mailing Label No. EV321714663US  
Date of Deposit April 2, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Name: May I. Casimiro

Signature: May I. Casimiro

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate of Mailing Under 37 CFR 1.10

I hereby certify that the correspondence listed below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, **Label No. EV321714663US** under 37 CFR 1.10 on **April 2, 2004** and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

1. Transmittal Form PTO/SB/21 (1 sheet);
2. Fifth Supplemental IDS (3 sheets);
3. PTO/SB/08A (1 sheet);
4. 1 U.S. Patent;
5. \$180.00 IDS fee, Check No. 16451;
6. Certificate of Mailing (1 sheet); and
7. Return-Receipt Postcard.

Name: May I. Casimiro

Signature: May I. Casimiro

RECEIVED  
APR 08 2004  
TECHNOLOGY CENTER R3700



PATENT  
Attorney Docket No. 0320-0014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
Michael D. Hooven )  
Serial No.: 10/038,506 )  
Filed: November 9, 2001 )  
Group Art No.: 3739 )  
Examiner: Rosiland S. Kearney )  
For: TRANSMURAL ABLATION DEVICE )  
WITH PARALLEL JAWS )

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"Express Mail" Mailing Label No.: EV321714663US

Date of Deposit April 2, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

NAME May I. Casimiro

SIGNATURE May I. Casimiro

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

*RECEIVED*  
APR 08 2004  
TECHNOLOGY CENTER 143700

**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the document listed on the attached form, which document may be material to the examination of this application. A copy of the document is enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the

citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This information disclosure statement is being filed after the filing of a Request for Continued Examination (RCE) which reopens prosecution of the application and before any receipt of any final office action, a notice of allowance, or an action that otherwise closes prosecution in the application in response

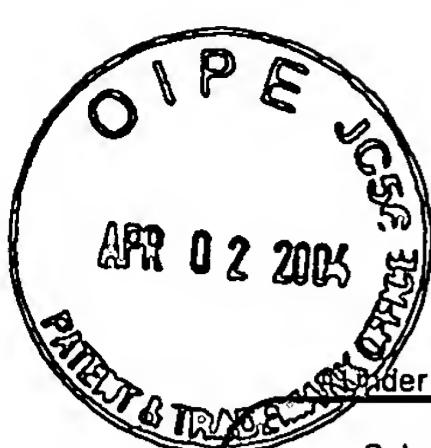
to such RCE. Accordingly, this information disclosure statement is accompanied by a check in the amount of \$180.00.

Respectfully submitted,

Date: April 2, 2004

By: Gary W. McFarron

Gary W. McFarron, Esq.  
Registration No. 27,357  
Cook, Alex, McFarron, Manzo,  
Cummings & Mehler, Ltd.  
200 West Adams St., Ste. 2850  
Chicago, IL 60606  
Telephone: (312) 236-8500  
Attorneys for Applicant



APR 02 2005

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**Substitute for form 1449/PTO**

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

### Shee

of 1

Complete if Known

Application Number	10/038,506
Filing Date	November 9, 2001
First Named Inventor	Michael D. Hooven
Art Unit	3739
Examiner Name	Rosiland S. Kearney
Attorney Docket Number	0320-0014

## U. S. PATENT DOCUMENTS

RECEIVED  
APR 08 2004  
TECHNOLOGY CENTER R3700

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.